

**DRAFT 4/13/2009**

The Honorable Craig R. Fry  
Indiana House of Representatives  
P.O. Box 1066  
Mishawaka, Indiana 46546-1066

Re: *VIM Recycling, Incorporated Facility; 29861 Old U.S. Highway 33. Elkhart, Indiana; March 24, 2009 Letter to EPA*

Dear Mr. Fry:

Thank you for your March 24, 2009 letter addressed to Administrator Jackson concerning significant alleged environmental violations at the VIM Recycling, Incorporated (VIM) facility located at 29861 Old U.S. Highway 33, Elkhart, Indiana. The United States Environmental Protection Agency, Region 5 (EPA or the Agency) recently became aware of the violations described in your letter and EPA is currently reviewing your request for prompt Agency intervention in this matter.

With regard to your request and the numerous alleged violations at the VIM facility, please note that an EPA inspector recently visited this facility and, as you note in your letter, the Agency recently held a conference call with numerous representatives of the Indiana Department of Environmental Management (IDEM) and the Indiana Office of Attorney General (IOAG) to discuss the environmental compliance issues at the VIM facility. These Agency actions were necessary first steps in this matter because EPA had not previously been a party to or involved with any prior response(s) to the compliance issues at the VIM facility. Please be assured that not only does EPA intend to continue its discussions with IDEM and IOAG in this matter, but the Agency also intends to independently gather additional information concerning the alleged violations at the VIM facility and EPA will take all necessary and appropriate actions to ensure that public health and the environment are properly protected at or near this facility.

If you have any other questions about EPA's involvement in this matter or you would like to discuss your issues with the VIM facility in more detail, please feel free to contact me or have your staff contact Mr. Paul Ruesch, the EPA environmental engineer for the VIM facility at (312) 886-6878 or via email at [ruesch.paul@epa.gov](mailto:ruesch.paul@epa.gov). Thank you.

Sincerely,

Margaret Guerriero  
Director  
Land and Chemicals Division

cc: [TBD]

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bcc: [TBD]

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